TWENTIETH ANNIVERSARY REPORT

1984-85

ONTARIO LAW REFORM COMMISSION

Ministry of the
Attorney
General

The Ontario Law Reform Commission was established on May 8, 1964 by section 1 of the *Ontario Law Reform Commission Act*. Section 2(1) of the Act states that it is the function of the Commission to inquire into and consider any matter relating to (a) reform of the law having regard to the statute law, the common law and judicial decisions; (b) the administration of justice; (c) judicial and quasi-judicial procedures under any Act; and (d) any subject referred to it by the Attorney General. The Commissioners are:

JAMES R. BREITHAUPT, CStJ, CD, QC, MA, LLB,
Chairman

H. ALLAN LEAL, OC, QC, LLM, LLD, DCL,
Vice Chairman

HONOURABLE RICHARD A. BELL, PC, QC, LLD

WILLIAM R. POOLE, QC

BARRY A. PERCIVAL, QC

M. Patricia Richardson, MA, LLB, is Counsel to the Commission. The Secretary of the Commission is Diane L. Murdoch. The Commission's office is located on the Fifteenth Floor at 18 King Street East, Toronto, Ontario, Canada M5C 1C5.

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Ontario
Law Reform
Commission

To The Honourable Ian Scott, QC
Attorney General for Ontario

Dear Mr. Attorney:

We have the honour to present the Twentieth* Anniversary Report of the Ontario Law Reform Commission, for the period April 1, 1984 to March 31, 1985.

*During its first two years, the Commission did not present an Annual Report. Accordingly, the last Annual Report, for 1983-84, was the Seventeenth. Hereafter, the Commission's Annual Reports will be numbered to be consistent with making this Report the Twentieth Anniversary Report.

INTRODUCTION

This is the Annual Report of the Ontario Law Reform Commission for the period April 1, 1984 to March 31, 1985.

On May 8, 1984, the Commission marked the Twentieth Anniversary of Royal Assent to the statute establishing it. On May 24, the Honourable R. Roy McMurtry, QC, Attorney General for Ontario, hosted a dinner at the Albany Club in Toronto to mark the Anniversary and to pay tribute to Miss Aileen F. Chute, who served as Secretary of the Commission for the twenty years, and who retired from the Ontario Civil Service on May 31, 1984. The members of the Advisory Board to the Project on Human Artificial Reproduction and Related Matters were also the guests of the Attorney General, who thanked them for their assistance in the project.

The guest of honour at the Anniversary Dinner was the Honourable James C. McRuer, OC, LLD, DCL, the first Chairman of the Commission, who is in his 95th year. Mr. McRuer was at his charming and witty best as he spoke of the history and work of the Commission.

Photographs have been included in this Report to mark the Twentieth Anniversary and to present the Chairmen, Members, and Officers of the Commission over the years. The Ontario Law Reform Commission is the oldest in the Commonwealth of Nations, and since 1964 some forty other jurisdictions have created similar research commissions to review their own legal systems.

On June 21, 1984, Dr. Derek Mendes da Costa, QC, the Chairman of the Commission since July 1, 1977, was appointed a Judge of the Unified Family Court for the Judicial District of Hamilton-Wentworth. A distinguished legal scholar and teacher, his leadership throughout the years at the Commission has been apparent in the quality of Commission Reports during his tenure. The Commission records its debt to Judge Mendes da Costa, and wishes him well in this continuance of his distinguished legal career.

On July 9, the Commission marked the Twentieth Anniversary of the appointment to the Commission of Dr. H. Allan Leal, OC, QC. Save for the four and one-half years he served as Deputy Attorney General, Dr. Leal has been with the Commission since it was established, and has been a tower of strength as Chairman for eleven years, as Vice Chairman since October 1, 1981, and as Acting Chairman on the resignation of Dr. Mendes da Costa.

On August 20, Mrs. Diane Murdoch assumed her new duties as Secretary and Administrative Officer of the Commission.

On November 1, Mr. James R. Breithaupt, QC, became the fourth Chairman of the Commission. Mr. Breithaupt had served for seventeen years in the Ontario Legislature as the MPP for Kitchener, and had been an active member of the Liberal Party Opposition, serving as Treasury

and Revenue critic, Chairman of the Public Accounts Committee, Chairman of the Select Committee on Company Law, Opposition House Leader, critic for Consumer and Commercial Relations, and latterly as the critic for the Attorney General and for Justice Policy.

On November 12, the Commission marked the Twentieth Anniversary of the appointment to the Commission of the Honourable Richard A. Bell, PC, QC, and of Mr. William R. Poole, QC.

The experience, loyalty and wisdom of Dr. Leal, the Honourable Mr. Bell, and Mr. Poole over twenty years have given the strength of continuity to the work of the Commission and have contributed greatly to its achievements.

Twentieth Anniversary Dinner
May 24, 1984

L. to R.: Hon. R. Roy McMurtry, QC, MPP, Attorney General for Ontario 1975-1985 (now High Commissioner for Canada to the United Kingdom); Hon. James C. McRuer, OC, LLD, DCL, first Chairman; Dr. Derek Mendes da Costa, QC, SJD, LLD, third Chairman; Mr. Arthur A. Wishart, CM, QC, Attorney General for Ontario in 1964 when the Ontario Law Reform Commission was created; Dr. H. Allan Leal, OC, QC, LLM, LLD, DCL, second Chairman

Hon. James C. McRuer, OC, LLD, DCL
Commissioner July 1, 1964 to June 1, 1982
First Chairman July 1, 1964 to June 30, 1966
Vice Chairman July 1, 1966 to February 8, 1977

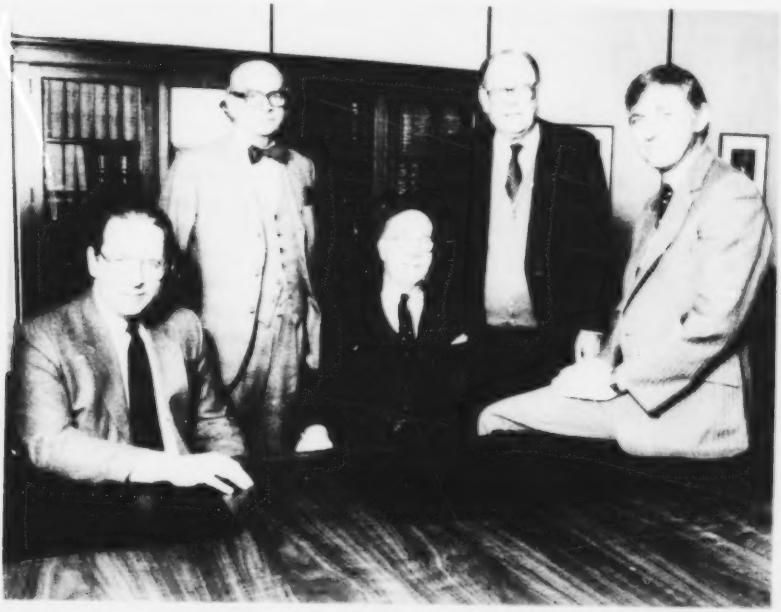
Dr. H. Allan Leal, OC, QC, LLM, LLD, DCL
Commissioner July 9, 1964 to March 17, 1977, and October 1, 1981 to present
Second Chairman July 1, 1966 to March 17, 1977
Vice Chairman October 1, 1981 to present
Acting Chairman June 20, 1984 to October 31, 1984

Dr. Derek Mendes da Costa, QC, SJD, LLD
Commissioner July 1, 1977 to June 20, 1984
Third Chairman July 1, 1977 to June 20, 1984

James R. Breithaupt, CStJ, CD, KCLJ, KCCM, QC, MA, LLB
Commissioner November 1, 1984 to present
Fourth Chairman November 1, 1984 to present

1977

Front Row, L to R: Miss A. E. Chute; Dr. D. Mendes da Costa; Hon. J. C. McRuer
Second Row, L to R: Mr. W. R. Poole; Hon. R. A. Bell; Ms. M. P. Richardson; Mr. W. G. Gray; Hon. G. A. Gale



1985

L to R: Mr. J. R. Breithaupt; Mr. W. R. Poole; Dr. H. A. Leal; Hon. R. A. Bell; Mr. B. A. Percival

THE PROGRAMME: REFERRED MATTERS

Section 2(1)(d) of the *Ontario Law Reform Commission Act* requires the Commission to inquire into and to consider any matter referred to it by the Attorney General. No new matters were referred to the Commission during 1984–85.

Completed Projects

Human Artificial Reproduction and Related Matters

In the past year, the Commission submitted to the Attorney General its *Report on Human Artificial Reproduction and Related Matters*. The Commission's project was commenced on November 5, 1982, when the Attorney General requested it to consider the legal issues relating to the new artificial conception technologies. Particular emphasis was placed on the welfare of artificially conceived children and, indeed, all children who might be affected by recourse to the new technologies. The Letter of Reference is reproduced in the Commission's *Sixteenth Annual Report 1982–83*, at page 8.

The Report is concerned with four basic procedures: (1) artificial insemination, which involves the intravaginal or intrauterine placement of semen by a syringe or similar means; (2) *in vitro* fertilization, popularly known as "test tube fertilization", which involves the fertilization of an ovum previously extracted from a woman, and the subsequent transfer of the fertilized ovum to a woman's uterus; (3) *in vivo* fertilization and embryo transfer, which involves the artificial insemination of a woman, removal of the fertilized ovum nonsurgically, and subsequent transfer of the fertilized ovum to another woman's uterus; and (4) "surrogate motherhood", which involves the application of one of the three technologies described above in order to produce a pregnancy in a woman who, pursuant to a prior arrangement, purports to transfer, after the birth of the child, custody of the child, as well as parental rights and responsibilities, to persons who intend to raise the child as their own.

Upon receipt of the Reference, the Commission retained Professor Bernard M. Dickens, of the Faculty of Law, University of Toronto, as Project Consultant. The Commission also placed an announcement inviting the submission of briefs in daily newspapers in Ontario and in the Ontario Reports; in addition, a copy of the announcement was circulated to a large number of persons and bodies. We then appointed an Advisory Board, comprising members of the professions of law, medicine, and social work and the disciplines of philosophy and ethics; as well, representatives of the Commission met with artificial insemination and I.V.F. specialists.

In the first substantive chapter of the Report, chapter 2, the Commission discusses the incidence and causes of infertility and the conventional

and non-conventional medical responses to it. In order to ascertain how artificial insemination specialists in this Province deal with several issues that arise in the course of their practices, a questionnaire was circulated to Ontario doctors listed in the directory of the Canadian Fertility and Andrology Society. The results of this survey are discussed in the chapter.

Chapter 3 of the Report discusses the present law in Ontario and the case for reform. It canvasses such topics as: artificial conception services as the "practice of medicine"; eligibility for participation in an artificial conception programme, including the effect of the *Canadian Charter of Rights and Freedoms* and the Ontario *Human Rights Code, 1981*; the donation of gametes (sperm and ova); sperm banks; the legal status of artificially conceived children, including birth registration; medical records; research and experimentation on human genetic material; and surrogate motherhood.

The chapter concludes that much of the present law, reflecting natural reproduction as the norm, is inadequate because it does not respond to the advent of the artificial conception technologies, or is only inadvertently relevant to the legal issues that they raise.

Chapter 4 of the Report outlines the basic alternative approaches to reform: the "private ordering" approach, where the legal regime gives effect to the parties' intentions; and the "state regulation" approach, which we adopt generally, where the state actively intervenes to set mandatory normative standards of conduct, for example, by prohibitory legislation.

In chapter 5, the Report briefly describes reform and proposals for reform in other jurisdictions, a review conducted in more detail in the Appendix to the Report.

Chapter 6 sets forth the Commission's recommendations for reform. The chapter is divided into four main sections, dealing with the propriety of the new technologies, general proposals for reform, proposals relating to the embryo outside the body, and surrogate motherhood.

In the first section, the Report accepts the propriety of artificial conception procedures, including the use of donated gametes, other than in the context of surrogate motherhood, which is discussed separately. However, only stable single women, and stable men and stable women in stable marital or nonmarital unions, would be entitled to participate in such procedures. For several reasons, including the potential application of the *Canadian Charter of Rights and Freedoms* and the *Human Rights Code, 1981*, it is not proposed that the consent of the recipient woman's husband or partner, if any, should be a statutory prerequisite to treatment of the woman, although it is envisaged that an expression of dissent on the part of the husband or partner would indicate at least some instability in the relationship.

Where donated sperm has been used in the conception, the Commission recommends that the woman's husband or partner who consents to the artificial conception procedure should be conclusively deemed to be the child's legal father for all purposes. The husband or partner's consent would be rebuttably presumed. Except in the case of surrogate motherhood, where an ovum has been donated, the woman bearing the child would be conclusively deemed to be the child's legal mother for all purposes. Where either sperm or an ovum has been donated, the gamete donor would have no legal relationship to the child arising from the fact of donation: the donor would have no parental rights or duties in respect of the child.

Accordingly, the child would acquire inheritance rights through its legal parents, unless a testator provided otherwise; it would have no inheritance rights through the gamete donor, unless the donor provided otherwise. The Commission also deals with inheritance rights where a child has been conceived posthumously with the sperm of the mother's husband or partner.

The Report next considers the selection and screening of gamete donors. As a general principle, questions of reproductive history, marital status, and genetic and other medical status are left to professional standards to be set by the medical profession. However, it is recommended that minors should be prohibited from undergoing any procedure undertaken deliberately to donate ova, although indirect donation, as a result of a hysterectomy, for example, would be permitted. Sperm donation by minors would be allowed. The Report recommends that gamete donors could be paid their reasonable expenses, based on the time and inconvenience involved, but not for any "discomfort" connected with the donation.

It is recommended that donors should be able to restrict the use to which the gamete may be put and, prior to its use in a fertilization procedure, may withdraw the donation.

The Commission recommends that commercial gamete banks should be permitted to operate, subject to licensing requirements setting standards of operation. In addition, the importation of gametes from outside Ontario is endorsed, but subject to the standards set in respect of Ontario gamete banks.

While, generally, no special rules are proposed in respect of medical records, the Report does recommend the establishment of a system of anonymous linkage between donors and recipients. Where a transmissible defect in a donor or a donor's child becomes known to a doctor, the doctor would be under a duty to make all reasonable efforts to report all relevant information to any person whose health and welfare the doctor reasonably believes might be affected by it. The identity of the parties would not, however, be disclosed.

The Report proposes quasi-criminal liability for fraudulent misrepresentation by donors and recommends that the principles of strict liability and the implied warranties of merchantable quality and fitness for purpose should not be applied to gamete donation.

In the next section of chapter 6, the Commission sets out proposals relating to the embryo outside the body. The Commission recommends that, where no donated gametes are involved, the embryo should be under the joint legal control of the intended recipient and her spouse or partner. If one should die, the embryo would be under the legal control of the survivor. If both should die or are unable to agree as to the use or disposition of the embryo, legal control would pass to the doctor or institution having actual possession of it.

However, where an embryo has been produced from donated sperm and a donated ovum, and subject to any restrictions on use imposed by the donors, legal control would reside exclusively in the doctor or institution having actual possession of the embryo. Where an embryo has been produced by a donated gamete and a gamete from one spouse or partner of the intended recipient couple, legal control would reside in that spouse or partner alone.

The Report further recommends that research and experimentation on embryos outside the body should be permitted, but should be restricted to centres approved by the Ministry of Health. To be approved, a research centre would have to establish an ethical review committee, governed by standards set by the Ministry, to screen potential research projects. An embryo subjected to non-therapeutic experimentation could not be transferred to a woman. Nor would an embryo outside the body be allowed to develop beyond fourteen days after fertilization or to be stored for more than ten years.

The final section in chapter 6 concerns surrogate motherhood. The Commission proposes that this practice should be permitted, but should be strictly regulated by legislation. The parties to a surrogate motherhood arrangement – the prospective surrogate mother and the couple who wish to raise the infant – would be required to reach a written agreement that, at a minimum, addresses certain matters specified by statute. Before the necessary artificial conception procedure could be performed lawfully, the parties would have to submit the agreement to the court and obtain approval of the arrangement. If the court was satisfied as to the suitability of the parties and the conformity of the agreement with legislative criteria, the court would be empowered to approve the arrangement. The purpose of requiring court approval of a surrogate motherhood arrangement is to protect the interests of the parties and the child.

Immediately following the birth of the child, the surrogate mother would be required to surrender custody of the child to the approved parents. Upon the birth of the child, the approved parents would be recognized by law as the legal parents of the child for all purposes, and the surrogate mother would have no legal relationship to the child.

With respect to the eligibility of the prospective parents, it is recommended that recourse to such an arrangement be dependent upon a judicial finding that there is a medical need not amenable to alleviation by other means, including the artificial conception technologies. Furthermore, the court would have to be satisfied that the child would be provided with an adequate upbringing. In making this determination, the court would be required to consider all relevant factors, including the marital status of the prospective parents, the stability of their union, and their individual stability.

In assessing the suitability of the prospective surrogate mother, the court would be required to consider, among other factors, her physical and mental health, her marital and domestic circumstances, the views of her spouse or partner, if any, and the likely effects of her participation upon existing children under her care. In addition, she must have reached the age of majority at the date of the court application.

With respect to the approval hearing, the Report discusses the standard of proof, the status of the surrogate mother as a co-applicant and whether her attendance at the hearing is necessary, the requirement that information relating to blood type, tissue, and other testing be submitted, the role of the children's aid society, and confidentiality of the proceedings and court documentation.

The Commission also considers the terms that should be included in a surrogate motherhood agreement. In the belief that it is in the best interests of the child to bond with the woman who is to raise it, the Commission recommends that a child born pursuant to an approved arrangement should be surrendered immediately upon birth to the approved social parents. In the face of a refusal to transfer the child, an order would be made that the child be delivered to the social parents. Where, however, there has been a change in circumstances, or where new information has become available, indicating that the approved parents are unsuitable to receive the child, the surrogate mother or the children's aid society would be able, at any time prior to the birth of the child, to apply for a review of the approval of the arrangement.

In recognition of the concerns expressed in connection with payments to the surrogate mother, the Commission recommends that no payment should be made in relation to an arrangement without prior judicial approval. This measure should reveal, for example, any financial exploitation of the surrogate mother.

With respect to the birth of a handicapped child, the Commission's recommendations concerning the status and parentage of a child born pursuant to an approved surrogate motherhood arrangement would effectively address legal responsibility for such a child. The Commission further proposes that the court should be required to ensure that a surrogate motherhood agreement deals adequately with the power of decision relating to the medical care of a newborn handicapped child and with the nature of that decision.

While the parties to a surrogate motherhood agreement would be free to introduce terms of their own choosing, there are certain matters to which they would be required to address their minds, although they might ultimately decide not to include them in the agreement. Among these are questions of health and life insurance protection for the prospective surrogate mother, prenatal restrictions upon the surrogate mother's activities before and after conception, and conditions under which prenatal screening of the child might be justified or required.

The balance of chapter 6 deals with certain residual matters. For example, the Commission recommends that the Ministry of Community and Social Services should be required to regulate any agencies that arrange surrogate motherhood agreements.

The Commission accepts the need for sanctions to discourage individuals from evading its proposed regulatory scheme. It recommends generally that a penalty of a fine should be provided for participation in a surrogate motherhood arrangement where it is known or believed that the arrangement is intended to evade that scheme. Where parents acquire custody of a child pursuant to an unapproved arrangement, they would be allowed, in the interests of the child, to utilize existing procedures under the *Children's Law Reform Act* and the *Child and Family Services Act* to regularize the status of the child in their family. However, they would remain subject to the proposed penalty. Where such parents seek an adoption order in relation to the child, notice of the application would be served on the children's aid society, which would be required to conduct a homestudy and submit to the court a report in relation thereto.

Finally, the Report contains a dissent by the Vice Chairman, Dr. H. Allan Leal, QC, with respect to two issues, one involving the criteria for eligibility in an artificial reproduction programme, the other involving the permissibility of surrogate motherhood arrangements.

THE PROGRAMME: PROJECTS INITIATED BY THE COMMISSION

By statute, the Commission may inquire into and consider any matter relating to reform of the law.

Projects in Process

1. *Administration of Estates of Deceased Persons*

As explained in previous Annual Reports, the objective of the project is a new *Administration of Estates Act*, which would bring together and revise relevant portions of the *Trustee Act*, the *Estates Administration Act*, and the provisions governing practice under the *Surrogate Courts Act* and Rules.

During the past year, work continued on the writing of the Commission's final Report and the drafting of a proposed *Administration of Estates Act*.

The Project Director is Professor George W. Alexandrowicz of the Faculty of Law, Queen's University. In the course of the Project, the Commission has benefited from the assistance of an Advisory Committee, constituted under the chairmanship of Malcolm Archibald, Esq., QC.

2. *The Hague Convention Concerning the International Administration of the Estates of Deceased Persons*

The Commission's study of the question whether the Hague Convention Concerning the International Administration of the Estates of Deceased Persons should be ratified for implementation in Ontario was originally intended to be a separate project. However, since this matter is closely related to the Commission's Project on Administration of Estates of Deceased Persons, the Convention has been examined as part of that project, in the context of a general consideration of the estates of foreign decedents.

3. *Basic Principles of Land Law*

The Commission has completed its consideration of three research papers, and has formulated its recommendations, dealing with reform of basic principles of land law. Work is now underway on the writing of the Commission's final Report on that subject.

4. *The Law of Mortgages*

The Law of Mortgages Project deals with three main topics: (1) proper disclosure to borrowers and potential borrowers; (2) the mortgage as an ongoing relationship; and (3) mortgage remedies. The project has been conducted in three stages. At the first stage, the Project Director, Barry J. Reiter, Esq., assembled a Research Team and consulted with representatives of various interest groups in the mortgages area in order to identify issues that would appear to require remedial legislation. The next stage involved the preparation of nine research papers, which were then considered by an Advisory Committee composed of representatives of the legal profession, consumer groups, and institutional lenders, under the chairmanship of the Project Director. The Commission considered and gave tentative approval to the resulting recommendations made in the Director's Report, which outlined the general policies upon which reform proposals would be based.

The final stage of the project has involved a further set of ten research papers, which elaborated upon and refined the general reform proposals of the second stage. Extensive consultation with the Research Team and the Advisory Board resulted in a Director's Report, which, together with

the second set of research reports, was given detailed consideration by the Commission in April, 1984. Since that time, a draft Act has been prepared and presented to the Advisory Board for its views. A revised version of that Act, as well as several residual issues, will be considered by the Commission in the next fiscal year. Work has already begun on the preparation of the Commission's final Report, which will include proposed legislation respecting the law of mortgages.

5. *Time Sharing*

During the past year, considerable progress was made in the Commission's Project on Time Sharing. As indicated in previous Annual Reports, the objective of this project is to examine all aspects of the present law governing time sharing in Ontario and other jurisdictions, with a view to determining whether there is a need in Ontario for enabling and regulatory legislation.

The first and second stages of this project have now been completed. During the first stage, a member of the internal legal staff prepared a comprehensive working paper, which included a discussion of the present law in Ontario and in other jurisdictions, identified problem areas in the law, and canvassed alternative proposals for reform.

During the second stage, this paper was reviewed by an Advisory Committee, which included members of the legal profession, government officials, and other knowledgeable, interested parties. Thereafter, the working paper, together with the views of the Advisory Committee, were placed before the Commission for consideration and the formulation of policy.

Work has now begun on the third and final stage of this project, during which the Commission's final *Report on Time Sharing* and accompanying draft legislation will be prepared.

The Commission has also decided to conduct a study of long term leases involving prepayment of the rent in full, a topic that raises issues similar to those that arise in the context of time sharing. The Commission has not yet determined whether to report separately on this matter or to deal with it as part of the time sharing Report.

6. *Law of Contract Amendment*

As indicated in previous Annual Reports, this project was divided into three Phases, Phase I dealing with issues of contract formation, and Phases II and III dealing with substantive and remedial issues. Seventeen research papers were prepared, all of which have been considered by the Commission. The writing of the Commission's final Report is now well underway, and it is hoped that the Report can be completed during the coming year.

The Commission continues to be ably assisted by the joint Project Directors, Professor Jacob S. Ziegel and Professor Stephen M. Waddams, both of the Faculty of Law, University of Toronto.

7. *The Law of Standing*

The Law of Standing Project is concerned with the question whether private individuals, who wish to initiate litigation in the public interest, should be granted increased access to the courts. During the initial stage of the project, the Commission's internal legal staff prepared a background paper setting out the present law and isolating reform issues. Subsequently, a research paper dealing with reform of the law of standing was prepared by an external consultant, Andrew Roman, Esq. However, because of the need to give priority to References from the Attorney General, and a decision to complete projects that predated this project, work on the law of standing had to be deferred.

In 1983, the Commission was able to reactivate the project. Under the direction of Professor W. A. Bogart of the Faculty of Law, University of Windsor, further research was commissioned dealing with the following topics: the test to be applied in respect of standing to initiate public interest litigation; the historical role of the Attorney General in criminal matters; the impact of the *Canadian Charter of Rights and Freedoms* on the law of standing; standing rules in constitutional litigation; developments in the law of standing in the United States and in civil law jurisdictions; and procedural and cost rules in public interest litigation. This additional research has now been considered by members of the Research Team.

Currently, members of the Commission's internal staff are working with the Project Director and members of the Research Team on the development of concrete reform proposals. As well, the Project Director is in the process of preparing a Research Report, with recommendations, for consideration by the Commission. It is anticipated that the Commission will consider this Research Report in the coming fall.

8. *Contribution Among Wrongdoers*

This project, directed by Professor John M. Evans, Associate Dean of Osgoode Hall Law School, York University, reviews the law governing the allocation of responsibility between two or more persons whose conduct has caused the same loss or damage; the project also canvasses the law relating to contributory negligence.

During the course of the project, nine research papers have been considered by the Commission, dealing with the following topics: joint and several liability; joint wrongdoers and the right to contribution; elements of the right to contribution; procedural aspects of contribution claims; and contributory negligence.

The Commission has received from Professor Evans a draft *Report on Contribution Among Wrongdoers*, as well as draft legislation. Work will now begin on the preparation of the final Report and the draft Bill to accompany that Report.

9. *Remedies for Wrongful Interference with Goods*

This project involves a consideration of the following topics: the specific relief remedies of replevin and detinue; damages remedies, such as trespass, conversion, and interference with a reversionary interest; and recaption of chattels.

After the preparation of several working papers by the Research Team, the joint Project Directors, Professor George R. Stewart of the Faculty of Law, University of Windsor, and Professor Ralph L. Simmonds, Associate Dean of the Faculty of Law, McGill University, drafted tentative proposals for reform, which were subsequently considered by an Advisory Board appointed by the Commission.

The Project Directors then prepared for the Commission's consideration a Report containing their recommendations and an explanatory text. The Commission has completed its review of the Project Directors' Report and has made its policy decisions. It is anticipated that a draft final Report, to be prepared by the Project Directors, will be submitted to the Commission in the early autumn.

10. *Land Held Subject to French Title*

In certain parts of Ontario, land is held subject to French title, originally granted in the eighteenth century. In such case, there is no Crown grant for the land and, in many instances, there is no official record or confirmation of the French title. As a result, conveyancing problems have arisen, including problems associated with applications for first registration under the *Land Titles Act* and applications for certification under the *Certification of Titles Act*. Even where French title has been confirmed, there is some uncertainty concerning the search period in respect of the conveyancing of *Registry Act* land. Accordingly, the Commission has initiated a project on land held subject to French title and not subject to a Crown grant.

The project is directed by R. E. Priddle, Esq., QC, former Director of the Legal and Survey Standards Branch, Ministry of Consumer and Commercial Relations.

11. *Wrongful Life, Wrongful Birth and Related Actions*

This project examines so-called wrongful life, wrongful birth, wrongful conception or pregnancy, and dissatisfied life actions. These actions are described in detail in the Commission's *Seventeenth Annual Report 1983-84*, at pages 8-9.

While, initially, these actions were viewed in the context of the Commission's study of the artificial conception technologies (see the Commission's *Report on Human Artificial Reproduction and Related Matters*, discussed earlier), it became apparent that the circumstances giving rise to such actions are not restricted to the use of artificial conception. Accordingly, the Commission decided to examine the law in this area in a separate project. A preliminary working paper has been prepared by one of the Commission's internal legal staff. However, because the Commission has decided to review its commitment to this project, further research on wrongful life and related actions has been deferred.

GENERAL ACTIVITIES

During the months of April, May, and June, 1984, the former Chairman, Dr. Derek Mendes da Costa, spoke to a number of organizations on the structure, function, and operation of the Commission. He addressed the Phi Delta Phi Legal Fraternity, an Education Seminar for the Judges of the Provincial Court (Civil Division), a luncheon meeting of the Real Estate department of the Blake, Cassels & Graydon law firm, and a breakfast meeting of the Beth Tzedec Synagogue Men's Club.

These opportunities to address such bodies are always welcomed, and our thanks go to those who have assisted in making the necessary arrangements for the various events.

On June 21, 1984, the former Chairman was appointed a Judge of the Unified Family Court for the Judicial District of Hamilton-Wentworth. The Vice Chairman, Dr. H. Allan Leal, served as Acting Chairman of the Commission from then to October 31, 1984.

The Vice Chairman, as Acting Chairman of the Commission, and Ms. M. Patricia Richardson, Counsel, attended the annual meeting of law reform agencies that took place at Calgary, Alberta, on August 19, 1984. Those present included members of the law reform agencies of Alberta, British Columbia, Canada, Manitoba, Ontario and Saskatchewan, along with officials from the Northwest Territories, Nova Scotia and Quebec. The meeting was especially privileged to have in attendance The Honourable Mr. Justice Michael Kirby, the Chairman of the Australian Law Reform Commission.

One noteworthy development of this meeting was that the Law Reform Commission of Canada has responded favourably to a request of the provincial law reform agencies to undertake the periodic publication of information about the work of the Canadian law reform agencies. The first issue of this publication, "Law Reform", was published in March 1985, and is perceived as fulfilling a useful function in keeping the various components of the Canadian and international law reform communities up to date with each other's activities.

As Acting Chairman, the Vice Chairman attended the annual meeting of the Uniform Law Conference of Canada during the week of August 20, 1984, at Calgary, Alberta, as a member of the Ontario delegation. The programme of the Uniform Law Conference of Canada includes projects of vital interest to law reform agencies, and law reform representatives continue to make a substantial contribution to the work of that Conference.

On May 27, 1985, the Vice Chairman, along with Professor Donovan W. M. Waters, was invited to participate in a one-day seminar in Toronto for the practising legal profession based on the Commission's *Report on the Law of Trusts* and the proposed *Trustee Act* contained in that Report. The exchange provided an interesting and useful commentary on the recommendations in the Commission's Report by a number of practitioners regarded as experts in the field of Ontario trust law.

On November 1, 1984, Mr. James R. Breithaupt became the fourth Chairman of the Ontario Law Reform Commission.

On November 15, 1984, the new Chairman attended a luncheon given by the Honourable John Turner, MPP, Speaker of the Ontario Legislature, at his chambers in the Parliament Buildings, at Queen's Park, Toronto. The Guest of Honour was the Honourable James C. McRuer, our first Chairman, who presented to the Ontario Legislature a silver tray given to him by the lawyer members of the 28th Parliament (October 17, 1967 – October 21, 1971) to mark the completion of his landmark Royal Commission Inquiry into Civil Rights. Of the twenty-six members whose signatures appear in facsimile on the tray, Mr. Breithaupt was one of a dozen who attended the luncheon and remained to watch as Mr. McRuer was introduced from the Speaker's Gallery to the members of the 32nd Parliament, from which Mr. Breithaupt had just resigned two weeks before.

On January 8, 1985, our Counsel, Ms. M. Patricia Richardson, gave birth to a baby girl. During Ms. Richardson's maternity leave, Mr. Mel A. Springman served as Acting Counsel. He also participated in a number of conferences and meetings. On April 10, 1984, he spoke at a meeting of the Canadian Bar Association – Ontario, Real Property Section, on the Commission's *Report on the Enforcement of Judgment Debts and Related Matters*, Part III (1981), dealing with execution against interests in land. He was a speaker at the May 25, 1984, Canadian Bar Association – Ontario, Continuing Legal Education Conference on Pre-Judgment Remedies, where his topic was "Conditions Applicable Upon Setting Aside Judgments". On September 28, 1984, he addressed the annual meeting of the Ontario Association of Sheriffs and Court Registrars on the changes in enforcement law arising from the *Courts of Justice Act, 1984*, and the new Rules of Civil Procedure. Finally, Mr. Springman spoke to students on law reform and the Ontario Law Reform Commission at the annual "careers day" seminars at Osgoode Hall Law School, York University (October 13, 1984), and the Faculty of Law, University of Toronto (February 15, 1985).

In the past year, Ms. Ann Merritt, one of the Commission's Legal Research Officers, participated as a panelist at the Alternate Careers Program, sponsored by the Law Society of Upper Canada, Department of Education (January 15, 1985).

Ms. Marilyn Leitman, another of the Commission's Legal Research Officers, attended, as a representative of the Commission, a Consultation on Victims of Violent Crime, sponsored by the Provincial Secretariat for Justice (May 7 and 8, 1984).

The Commission welcomed a number of visitors to Toronto during the year. Sir Gordon Borrie, Director General of Fair Trading for the British government, was followed by Mr. Christopher P. Curran, the Executive Director of the Newfoundland Law Reform Commission, and by Mrs. Margaret A. Shone, Counsel to the Institute of Law Research and Reform of Alberta.

The Honourable D. P. Makanza, Attorney General of Swaziland, and Mr. T. Masina, the Director of Public Prosecutions and Secretary to the Swazi Law Review Commission, visited with us to discuss the formation and development of their new Law Reform Commission. As the first law reform agency in the Commonwealth of Nations, we were particularly pleased to be visited by those representing the newest such organization. Discussions were held on all facets of our work, and we look forward to hearing of their success in the years to come.

Senator John F. Kelly of the Michigan State Senate and Mr. Richard D. McLellan, an Attorney-at-Law, both of Lansing, Michigan, visited the Commission to discuss with the Chairman law reform issues as well as issues relating to Michigan-Ontario cooperation.

ACKNOWLEDGMENTS

Attached to this Report are four Appendices relating to the activities and staff of the Commission. They are as follows:

Appendix A: A list of the Reports prepared and submitted by the Commission since 1964, with a Table indicating the extent to which the proposals have been enacted by the Legislature.

Appendix B: A list of the Commissioners and permanent staff of the Commission in the current year.

Appendix C: A list of those who have served as Commissioners, Counsel and Secretaries from 1964 to 1984.

Appendix D: A list of those who have served in other permanent staff appointments to the Commission from 1964 to 1984.

In the Introduction to this Report, reference was made to the retirement of Miss Aileen F. Chute, as Secretary of the Commission, on May 31, 1984. Miss Chute joined the Commission at its inception in 1964 as Secretary to the Chairman and served with the highest diligence and competence throughout the first twenty years of the Commission's life. It was at all times a privilege and pleasure to be associated with her and much of what the Commission was able to accomplish ought to be attributed to the sound and efficient administrative base that Miss Chute provided for its operation. We shall miss her and wish her well in all that lies ahead. We welcome our new Secretary and Administrative Officer, Mrs. Diane Murdoch.

During the year, Ms. Victoria Van Asperen, BSc, resigned as Secretary to the Legal Research Officers, and we thank her for her contribution to the work of the Commission. In her place we welcome Miss Sharon Nagasaka to the Commission.

The Commissioners extend their most sincere thanks to the members of the staff for the support and assistance that was so willingly and thoroughly given to each of the projects now under way.

We also express our thanks and gratitude to you, Mr. Attorney, and to your predecessors, the Honourable R. Roy McMurtry, QC, the Honourable Robert Welch, QC, and the Honourable Alan W. Pope, QC, as well as to the officers in the Ministry of the Attorney General, for the continuing interest, cooperation, and support given to us during the year.

All of which is respectfully submitted.

James R. Breithaupt
Chairman

H. Allan Leal
Vice Chairman

Richard A. Bell
Commissioner

William R. Poole
Commissioner

Barry A. Percival
Commissioner

March 31, 1985

APPENDIX A

REPORTS OF THE ONTARIO LAW REFORM COMMISSION

	Title	Date of Report	Original Legislation Concerning Commission Proposals
1.	Report No. 1 [The Rule Against Perpetuities]	February 1, 1965	*The Perpetuities Act, 1966*, S.O. 1966, c. 113
2.	Report No. 1A: The Perpetuities Act, 1965 [Supplementary Report on the Rule Against Perpetuities]	March 1, 1966	*do.*
3.	Report No. 2 [The Wages Act: Assignment of Wages]	March 3, 1965	*The Wages Amendment Act, 1968*, S.O. 1968, c. 142
4.	Report No. 3 on Personal Property Security Legislation	May 28, 1965	*The Personal Property Security Act, 1967*, S.O. 1967, c. 72
5.	Report No. 3A on Personal Property Security Legislation	May 18, 1966	*do.*
6.	Report on The Evidence Act: Admissibility of Business Records	February 16, 1966	*The Evidence Amendment Act, 1966*, S.O. 1966, c. 51, s. 1
7.	Report on The Mechanics' Lien Act	February 22, 1966	*The Mechanics' Lien Act, 1968-69*, S.O. 1968-69, c. 65
8.	Supplementary Report on The Mechanics' Lien Act	May 26, 1967	*do.*
9.	Report on the Proposed Extension of Guarantor's Liability on Construction Bonds	May 30, 1966	See *The Mechanics' Lien Amendment Act, 1975*, S.O. 1975, c. 43 *The Ministry of Transportation and Communications Creditors Payment Act, 1975*, S.O. 1975, c. 44 *The Public Works Creditors Payment Repeal Act, 1975*, S.O. 1975, c. 45
10.	Report on The Execution Act: Exemption of Goods from Seizure	December 9, 1966	*The Execution Amendment Act, 1967*, S.O. 1967, c. 26

	Title	Date of Report	Original Legislation Concerning Commission Proposals
11.	Report on The Law of Condominium	March 6, 1967	*The Condominium Act, 1967*, S.O. 1967, c. 13
12.	Report on the Basis for Compensation on Expropriation	September 21, 1967	*The Expropriations Act, 1968-69*, S.O. 1968-69, c. 36
13.	Report on the Limitation Period for Actions under The Sandwich, Windsor and Amherstburg Railway Act, 1930	January 8, 1968	*The Sandwich, Windsor and Amherstburg Railway Amendment Act, 1968*, S.O. 1968, c. 120
14.	Annual Report 1967	January 15, 1968	Not applicable
15.	Report on Certain Aspects of the Proposed Divorce Legislation Contained in Bill C-187	January 19, 1968	*Divorce Act*, S.C. 1967-68, c. 24, s. 26
16.	Report on the Proposed Adoption in Ontario of The Uniform Wills Act	February 5, 1968	*The Succession Law Reform Act, 1977*, S.O. 1977, c. 40 See *The Registry Amendment Act, 1978*, S.O. 1978, c. 8, s. 1
17.	Report on The Protection of Privacy in Ontario	September 10, 1968	See *The Consumer Reporting Act, 1973*, S.O. 1973, c. 97
18.	Report on Section 183 of The Insurance Act	October 3, 1968	—
19.	Report on Trade Sale of New Houses	October 4, 1968	See *The Ontario New Home Warranties Plan Act, 1976*, S.O. 1976, c. 52
20.	Interim Report on Landlord and Tenant Law Applicable to Residential Tenancies	December 10, 1968	*The Landlord and Tenant Amendment Act, 1968-69*, S.O. 1968-69, c. 58
21.	Report on Limitation of Actions	February 3, 1969	See *The Highway Traffic Amendment Act (No. 2), 1975*, S.O. 1975, c. 37 *The Fatal Accidents Amendment Act, 1975*, S.O. 1975, c. 38 *The Trustee Amendment Act, 1975*, S.O. 1975, c. 39

	Title	Date of Report	Original Legislation Concerning Commission Proposals
22.	Second Annual Report 1968	April 7, 1969	Not applicable
23.	Report on the Age of Majority and Related Matters	June 3, 1969	*The Age of Majority and Accountability Act, 1971*, S.O. 1971, c. 98
24.	Report on the Status of Adopted Children	June 3, 1969	*The Child Welfare Amendment Act, 1970*, S.O. 1970, c. 96, s. 23
25.	Report on Family Law, Part I: Torts	November 4, 1969	*The Family Law Reform Act, 1978*, S.O. 1978, c. 2 (partial implementation)
26.	Report on Section 20 of The Mortgages Act	March 12, 1970	*The Mortgages Amendment Act, 1970*, S.O. 1970, c. 54, s. 1
27.	Report on Family Law, Part II: Marriage	April 6, 1970	*The Civil Rights Statute Law Amendment Act, 1971*, S.O. 1971, c. 50, s. 55 (partial implementation) *The Marriage Act, 1977*, S.O. 1977, c. 42
28.	Third Annual Report 1969	April 20, 1970	Not applicable
29.	Report on Actions Against Representatives of Deceased Persons	November 30, 1970	*The Trustee Amendment Act, 1971*, S.O. 1971, c. 32, s. 2
30.	Report on the Coroner System in Ontario	January 25, 1971	*The Coroners Act, 1972*, S.O. 1972, c. 98
31.	Report on Sunday Observance Legislation	February 26, 1971	*The Retail Business Holidays Act, 1975*, S.O. 1975 (2nd Session), c. 9 *Courts of Justice Act, 1984*, S.O. 1984, c. 11, s. 134
32.	Report on Land Registration	March 23, 1971	See *The Corporations Tax Amendment Act (No. 2), 1979*, S.O. 1979, c. 89 *Land Registration Reform Act, 1984*, S.O. 1984, c. 32
33.	Fourth Annual Report 1970	March 31, 1971	Not applicable
34.	Report on The Change of Name Act	May 31, 1971	*The Change of Name Amendment Act, 1972*, S.O. 1972, c. 44

	Title	Date of Report	Original Legislation Concerning Commission Proposals
35.	Report on The Mortgages Act, Section 16	June 18, 1971	—
36.	Report on Development Control	September 28, 1971	*The Planning Amendment Act, 1973*, S.O. 1973, c. 168, s. 10
37.	Report on Powers of Attorney	January 11, 1972	*The Powers of Attorney Act, 1979*, S.O. 1979, c. 107 *Powers of Attorney Amendment Act, 1983*, S.O. 1983, c. 74 *Mental Health Amendment Act, 1983*, S.O. 1983, c. 75
38.	Report on Occupiers' Liability	January 11, 1972	*The Occupiers' Liability Act, 1980*, S.O. 1980, c. 14
39.	Report on Consumer Warranties and Guarantees in the Sale of Goods	March 31, 1972	—
40.	Report on Review of Part IV of The Landlord and Tenant Act	March 31, 1972	*The Landlord and Tenant Amendment Act, 1972*, S.O. 1972, c. 123
41.	Fifth Annual Report 1971	March 31, 1972	Not applicable
42.	Report on the Non-Possessory Repairman's Lien	October 4, 1972	—
43.	Report on the Administration of Ontario Courts, Part I	February 26, 1973	See *The Administration of Courts Project Act, 1975*, S.O. 1975, c. 31 *The Judicature Amendment Act (No. 2), 1977*, S.O. 1977, c. 51, s. 9 *Courts of Justice Act, 1984*, S.O. 1984, c. 11, ss. 19 and 25
44.	Sixth Annual Report 1972	March 31, 1973	Not applicable
45.	Report on the Administration of Ontario Courts, Part II	May 23, 1973	See *The Administration of Courts Project Act, 1975*, S.O. 1975, c. 31

	Title	Date of Report	Original Legislation Concerning Commission Proposals
46.	Report on Family Law, Part III: Children	September 25, 1973	*The Child Welfare Amendment Act, 1975*, S.O. 1975, c. 1 (partial implementation) *The Succession Law Reform Act, 1977*, S.O. 1977, c. 40 (partial implementation) *The Children's Law Reform Act, 1977*, S.O. 1977, c. 41 (partial implementation) See *Children's Law Reform Amendment Act, 1982*, S.O. 1982, c. 20
47.	Report on The Solicitors Act	September 28, 1973	*Courts of Justice Act, 1984*, S.O. 1984, c. 11, s. 214(6)
48.	Report on Motor Vehicle Accident Compensation	November 6, 1973	
49.	Report on the Administration of Ontario Courts, Part III	December 17, 1973	*The Judicature Amendment Act, 1975*, S.O. 1975, c. 30 (partial implementation) See *The Administration of Courts Project Act, 1975*, S.O. 1975, c. 31 *The Small Claims Courts Amendment Act, 1977*, S.O. 1977, c. 52 (partial implementation)
50.	Report on Family Law, Part IV: Family Property Law	February 8, 1974	*The Succession Law Reform Act, 1977*, S.O. 1977, c. 40 (partial implementation) *The Family Law Reform Act, 1978*, S.O. 1978, c. 2 (partial implementation)

	Title	Date of Report	Original Legislation Concerning Commission Proposals
			See *The Land Titles Amendment Act, 1978*, S.O. 1978, c. 7 *The Registry Amendment Act, 1978*, S.O. 1978, c. 8
51.	Report on Family Law, Part V: Family Courts	February 8, 1974	See *The Unified Family Court Act, 1976*, S.O. 1976, c. 85 *The Children's Probation Act, 1978*, S.O. 1978, c. 41 (partial implementation)
52.	Seventh Annual Report 1973	May 6, 1974	Not applicable
53.	Report on the International Convention Providing a Uniform Law on the Form of the International Will	July 3, 1974	*The Succession Law Reform Act, 1977*, S.O. 1977, c. 40, s. 42
54.	Eighth Annual Report 1974	March 31, 1975	Not applicable
55.	Report on Family Law, Part VI: Support Obligations	April 18, 1975	*The Succession Law Reform Act, 1977*, S.O. 1977, c. 40 (partial implementation) *The Family Law Reform Act, 1978*, S.O. 1978, c. 2
56.	Report on Mortmain, Charitable Uses and Religious Institutions	February 27, 1976	*The Religious Organizations' Lands Act, 1979*, S.O. 1979, c. 45 *The Anglican Church of Canada Act, 1979*, S.O. 1979, c. 46 *The Registry Amendment Act, 1979*, S.O. 1979, c. 94, s. 17 *Charities Accounting Amendment Act, 1982*, S.O. 1982, c. 11 *Mortmain and Charitable Uses Repeal Act, 1982*, S.O. 1982, c. 12, s. 1(1)

	Title	Date of Report	Original Legislation Concerning Commission Proposals
57.	Report on Landlord and Tenant Law	March 15, 1976	*The Residential Tenancies Act, 1979*, S.O. 1979, c. 78 (partial implementation)
58.	Report on the Law of Evidence	March 29, 1976	—
59.	Ninth Annual Report 1975	March 31, 1976	Not applicable
60.	Report on Changes of Name	August 16, 1976	*The Change of Name Amendment Act, 1978*, S.O. 1978, c. 28
			The Vital Statistics Amendment Act, 1978, S.O. 1978, c. 81, s. 1 (partial implementation)
61.	Report on the Impact of Divorce on Existing Wills	February 28, 1977	*The Succession Law Reform Act, 1977*, S.O. 1977, c. 40, s. 17(2)
62.	Tenth Annual Report 1976	March 31, 1977	Not applicable
63.	Eleventh Annual Report 1977	March 31, 1978	Not applicable
64.	Report on Sale of Goods	March 30, 1979	—
65.	Twelfth Annual Report 1978	March 30, 1979	Not applicable
66.	Report on Products Liability	November 16, 1979	—
67.	Thirteenth Annual Report 1979	March 31, 1980	Not applicable
68.	Report on the Enforcement of Judgment Debts and Related Matters, Part I	February 20, 1981	—
69.	Report on the Enforcement of Judgment Debts and Related Matters, Part II	March 31, 1981	*Wages Amendment Act, 1983*, S.O. 1983, c. 68 (partial implementation)
			Proceedings Against the Crown Amendment Act, 1983, S.O. 1983, c. 88
			Courts of Justice Act, 1984, S.O. 1984, c. 11, s. 177 (partial implementation)
			Rules of Civil Procedure, O. Reg. 560/84, r. 60 (partial implementation)

	Title	Date of Report	Original Legislation Concerning Commission Proposals
70.	Report on the Enforcement of Judgment Debts and Related Matters, Part III	March 31, 1981	Rules of Civil Procedure, O. Reg. 560/84, r. 60.07(16) and (17)
71.	Fourteenth Annual Report 1980-81	March 31, 1981	Not applicable
72.	Report on Witnesses Before Legislative Committees	September 11, 1981	—
73.	Report on Class Actions	March 31, 1982	—
74.	Fifteenth Annual Report 1981-82	March 31, 1982	Not applicable
75.	Report on the Enforcement of Judgment Debts and Related Matters, Part IV	March 31, 1983	—
76.	Report on the Enforcement of Judgment Debts and Related Matters, Part V	March 31, 1983	—
77.	Report on Powers of Entry	March 31, 1983	—
78.	Sixteenth Annual Report 1982-83	March 31, 1983	Not applicable
79.	Report on the Law of Trusts	March 30, 1984	—
80.	Seventeenth Annual Report 1983-84	March 30, 1984	Not applicable
81.	Report on Human Artificial Reproduction and Related Matters	March 15, 1985	—
82.	Twentieth Anniversary Report 1984-85	September 1, 1985	Not applicable

Many of the Commission's earlier Reports are no longer in print. Those that are still in print may be ordered from Publications Service, Ministry of Government Services, 5th Floor, 880 Bay Street, Toronto, Ontario, Canada, M7A 1N8. Telephone 965-6015. Toll free long distance 1-800-268-7540; in area code 807, 0-Zenith 67200.

APPENDIX B

CURRENT OFFICERS AND PERMANENT STAFF ONTARIO LAW REFORM COMMISSION

Chairman	James R. Breithaupt, CStJ, CD, QC, MA, LLB
Vice Chairman	H. Allan Leal, OC, QC, LLM, LLD, DCL
Commissioners	Honourable Richard A. Bell, PC, QC, LLD William R. Poole, QC Barry A. Percival, QC
Counsel	M. Patricia Richardson, MA, LLB
Secretary and Administrative Officer	Diane L. Murdoch
Senior Legal Research Officer	M. A. Springman, MA, MSc, LLB
Legal Research Officers	Ann M. Merritt, BA, LLB Larry M. Fox, LLB Marilyn R. Leitman, BA, LLM Judith A. Bellis, BA, LLB
Administrative Assistant	Beverley G. Woodley
Secretary to Chairman	Stephanie Hlynka
Secretary to Vice Chairman	Elizabeth N. Page
Secretary to Counsel	D.M. Halyburton
Secretary to Administrative Officer	Mary Rose Betinvieh, BAA
Secretaries to Legal Research Officers	Cora Calixterio Sharon Nagasaka
Receptionist	Mary M. O'Hara

APPENDIX C

OFFICERS (1964-1984)
ONTARIO LAW REFORM COMMISSION

CHAIRMEN

Honourable James C. McRuer, OC, LLD, DCL	July 1, 1964 - June 30, 1966
H. Allan Leal, OC, QC, LLM, LLD, DCL	July 1, 1966 - March 17, 1977
Derek Mendes da Costa, QC, SJD, LLD (now the Honourable Judge Mendes da Costa)	July 1, 1977 - June 20, 1984
James R. Breithaupt, CStJ, CD, QC, MA, LLB	November 1, 1984 to present

VICE CHAIRMEN

Honourable James C. McRuer, OC, LLD, DCL	July 1, 1966 - February 8, 1977
Honourable George A. Gale, CC, QC, LLD	March 1, 1977 - October 1, 1981
H. Allan Leal, OC, QC, LLM, LLD, DCL	October 1, 1981 to present

COMMISSIONERS

Honourable James C. McRuer, OC, LLD, DCL	July 1, 1964 - June 1, 1982
H. Allan Leal, OC, QC, LLM LLD, DCL	July 9, 1964 - March 17, 1977 and October 1, 1981 to present
Honourable Richard A. Bell, PC, QC, LLD	November 12, 1964 to present
W. Gibson Gray, QC (now the Honourable Mr. Justice Gray)	November 12, 1964 - December 4, 1979
William R. Poole, QC	November 12, 1964 to present
Honourable George A. Gale, CC, QC, LLD	March 1, 1977 - October 1, 1981

Derek Mendes da Costa, QC, SJD, LLD (now the Honourable Judge Mendes da Costa)	July 1, 1977 - June 20, 1984
Barry A. Percival, QC	January 23, 1980 to present
James R. Breithaupt, CStJ, CD, QC, MA, LLB	November 1, 1984 to present

COUNSEL

William B. Common, QC, LLD	November 23, 1964 - May 31, 1967
Richard Gosse, QC, BA, LLB, DPhil	January 1, 1968 - December 31, 1969
Edward F. Ryan, LLM	January 1, 1970 - April 30, 1973
Lyle S. Fairbairn, BA, LLB	November 1, 1973 - July 30, 1976
M. Patricia Richardson, MA, LLB	December 1, 1976 to present

ADMINISTRATIVE OFFICERS and SECRETARIES OF THE COMMISSION

Aileen F. Chute	July 1, 1964 - May 31, 1984
Diane L. Murdoch	August 20, 1984 to present

APPENDIX D

PERMANENT STAFF (1964-1984)
ONTARIO LAW REFORM COMMISSION

SENIOR LEGAL RESEARCH OFFICER

M. A. Springman, MA, MSc, LLB	1980 to present

LEGAL RESEARCH OFFICERS

Maurice J. Coombs, BSc, LLM	1965 - 1971
Maureen J. Sabia, BA, LLB	1968 - 1973
Elizabeth A. M. MacNab, LLB	1970 - 1971
Keith B. Farquhar, LLM (Hons.), LLM	1971 - 1973
John F. Layton, MA, LLB	1972 - 1973
M.A. Springman, MA, MSc, LLB	1974 - 1980
M. Patricia Richardson, MA, LLB	1974 - 1976
C.H. MacLean, BA, LLB	1974 - 1975
R. S. G. Chester, BA (Hons. Juris.)	1974 - 1977
Catherine G. Wolhowe, BA, JD	1975 - 1977
Martha Trofimenko, LLM	1977
Jennifer K. Bankier, BA, LLB	1977 - 1979
William A. Bogart, BA, LLB	1977 - 1979
M. E. B. Salter, BA, LLB	1978
Eric Gertner, LLB, BCL (Oxon)	1978 - 1983
Ann M. Merritt, BA, LLB	1979 to present
Larry M. Fox, LLB	1979 to present
Pamela M. Gibson, BA, LLB	1980 - 1983
Marilyn R. Leitman, BA, LLM	1984 to present
Judith A. Bellis, BA, LLB	1984 to present

ADMINISTRATIVE ASSISTANTS

A. E. Harrower	1974 - 1977
Roslynne F. Mains, BA	1977 - 1980
J. A. Brown, BA	1980 - 1982
Beverley G. Woodley	1982 to present

SECRETARIES TO CHAIRMEN

Aileen F. Chute	1964 - 1966
Stephanie Hlynka	1966 to present

SECRETARIES TO VICE CHAIRMEN

Estella Spergel	1966 - 1968
H. Chu	1968 - 1972
A. E. Harrower	1972 - 1974
M. E. Williams	1973 - 1977
Elizabeth N. Page	1977 to present

SECRETARIES TO COUNSEL

L. G. Levack	1965 - 1967
A. E. Harrower	1967 - 1972
D. M. Halyburton	1972 to present

SECRETARIES TO ADMINISTRATIVE OFFICERS

E. A. Wolaniuk	1972 - 1974
M. E. Llewellyn	1974 - 1976
Beverley G. Woodley	1976 - 1982
Mary Rose Betinvich, BAA	1983 to present

SECRETARIES TO LEGAL RESEARCH OFFICERS

K. Finnegan	1971 - 1973
P. C. Gronroos	1972 - 1973
Cynthia D. Smith	1973 - 1978
P. John	1973 - 1974
Teresa D. Loughlin	1974 - 1977
Grace C. Novakowski, BA	1977 - 1980
E. M. Renda	1978 - 1980
Toni Farrace	1980 - 1981
Victoria Van Asperen, BSc	1980 - 1984
Christine Seguin	1981 - 1982
Cora Calixterio	1982 to present
Sharon Nagasaka	1984 to present

RECEPTIONISTS

R. Wood	1968 - 1973
Beverley G. Woodley	1973 - 1976
Anne David	1976
J. A. M. O'Loughlin	1976 - 1979
Mary M. O'Hara	1979 to present